BILL NO. Z-69-03-32

ZONING MAP ORDINANCE NO. Z- 78-69

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-11.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36,

Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836; and the symbols on the City of Fort Wayne Zoning Map No. A-11 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Tract 150 x 136.4 feet at Southeast corner of North Clinton Street and Dalgren Avenue in the City of Fort Wayne, being tract bounded by North Clinton on the West, Dalgren Avenue on the North, the first alley East of North Clinton on the East, and the first alley South of Dalgren Avenue on the South.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

APPROVED AS TO FORM

Read the first time in full and on motion by Koussense seconded by
Robinson and duly adopted, read the second time by title and referred
to the (Committee on) Regulations (and to the City Plan
Commission for recommendation) (and Public Hearing to be held after due legal notice,
at the Council Chambers, City Hall, Fort Wayne, Indiana, on
theday of196, ato'clock
P.M., E.S.T.
Date: 3-25-69 Fuad & Bonahoom City Clerk
Read the third time in full and on motion by
seconded by Rabusan and duly adopted, placed on its passage.
Passed (LOST) by the following vote:
AYES, NAYS, ABSTAINED, ABSENT to-wit:
Adams Dunifon Fay Geake Nuckols Robinson Rousseau
Steigerwald Tipton 7-22-69
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No.Z-78-69
on the 22 and day of July, 196 9.
ATTEST: (SEAL) Mendelle Presiding Officer ACTEST: (SEAL) Mendelle Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23 day
of
Approved and signed by me this 24 day of, 1969,
at the hour of 10:30 o'clock A.M., E.S.T.
Mayor

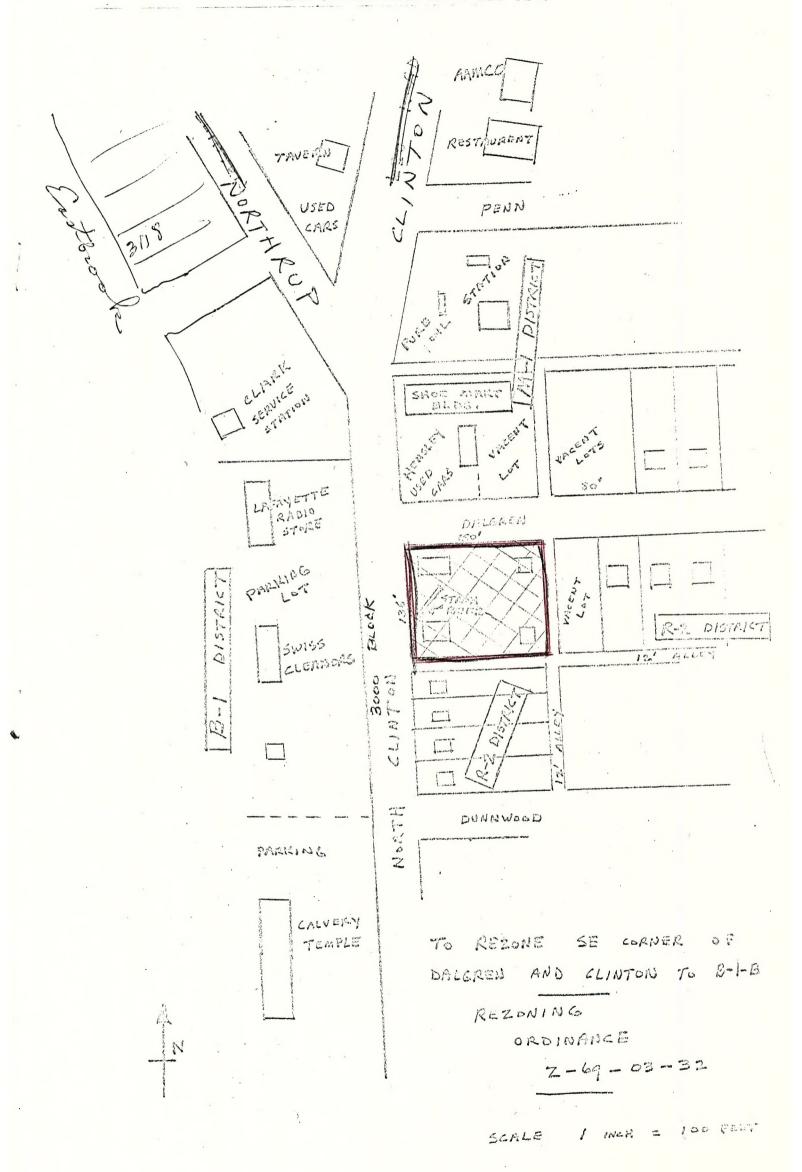
July 15, 1965
OF THE COMMITTEE ON REGULATIONS
to whom was referred an Ordinance
Zoning Map No. A-11,

We, your Committee on Regulation amending the City of Fort Wayne have had said Ordinance under consideration and beg leave to perort back to the Common Council that said Ordinance __ PASS. EDWIN J. ROUSSEAU, Chairman JOHN H. ROBINSON, Vice-Chairman THOMAS G. ADAMS JACK K. DUNIFON PHIL A STEIGERWALD

Bill No. Z-69-03-32

REPORT

CONCURRED IN DATE 7-22-69 FUAD G. BONAHOOM, CITY CLERK RE: Ordinance #Z-69-03-32 to Rezone Tract at Southeast Corner of Dalgren and Clinton from R2 to BIB Use.



IMPROVEMENT OF NORTH CLINTON STREET

According to Mr. Lee Rush, District Engineer in charge of the Indiana State Highway Office at Fort Wayne, and Mr. Arthur Tebbe, Engineer in charge of the Construction Division of the State Highway Office on Hatfield Road, the following are the plans for development of North Clinton Street:

- 1. From the approximate intersection of Northrup and Clinton Street South, including the 3000 block between Dalgren and Dunwood, North Clinton is to have the following dimensions:
 - (a) Total right of way width 80 feet;
 - (b) 2-thru lanes North 12 feet each;
 - (c) 2-thru lanes South 12 feet each;
 - (d) A center median strip raised 9 inches, running from 4 feet to 16 feet in width, with a center lane for left turns at street intersections;
 - (e) Present pavement to be used and added to;
 - (f) 2 ft. wide curbs and gutters (curbs raised 9 inches) on each side of the street;
 - (g) 5 ft. sidewalks abutting each curbline;
 - (h) Total width of improved street measured from outside curblines 68 feet;
 - (i) Total width of improved street and sidewalks measured from outside curblines 78 feet;
- 2. To secure 80 ft. right of way, 15 feet is to be condemned on each side of present Clinton right of way of 50 feet. (NOTE: In some blocks, Clinton is 55 feet wide, in which event an additional 10 feet would be condemned on the side which is now 30 feet).
- 3. Traffic Count. Upwards of 28,000 cars per day now use this section of North Clinton.
- 4. Donation of 15 ft. right of way. If the City Council rezones the North half of the block fronting on the East side of North Clinton Street between Dalgren and Dunwood, Cheker Oil Company will deliver an executed deed for the additional 15 ft. right of way for this half block for the proposed widening of Clinton Street.
- 5. The preliminary report of the Fort Wayne District Office of the State Highway Commission for the above widening and improvement of Clinton Street has been prepared and forwarded to the Mayor; the Board of Works; Three Rivers Co-Ordinating Council; State Highway Commissioner, James Dumas, and the Indiana State Highway Office, as of July 11, 1969, and plans for this improvement are now progressing.
- 6. Both Messrs. Rush and Tebbe have advised that the donation of the 15 ft. strip by Cheker Oil Company will aid in the widening of Clinton Street (as this land will be acquired by the State without cost for the project) and that the rezoning of the tract for a Cheker Oil Station will not in any way adversely affect the acquiring of other right of way, as all of the frontage on the land being rezoned is being given to the State for the widening of the street.

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY, THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND SHOULD BE DONE BY A LAWYER.

WARRANTY DEED

This indenture witnesseth that

CHEKER OIL COMPANY, an Illinois corporation,

of Cook

County in the State of

Illinois

Conveys and warrants to

CITY OF FORT WAYNE

of Allen County in the State of Indiana for and in consideration of One (\$1.00) Dollar and other good and valuable consideration the receipt whereof is hereby acknowledged, the following Real Estate in Allen County in the State of Indiana, to wit:

The West fifteen (15) feet of the tract located at the Southeast corner of North Clinton Street and Dalgren Avenue in the City of Fort Wayne, said tract being bounded by North Clinton Street on the West, Dalgren Avenue on the North, the first alley East of North Clinton Street on the East, and the first alley South of Dalgren Avenue on the South.

The grantor executes this deed for the widening of Clinton Street, and retains the right to possession and use of said fifteen (15) foot strip until said strip is needed for the widening of said street.

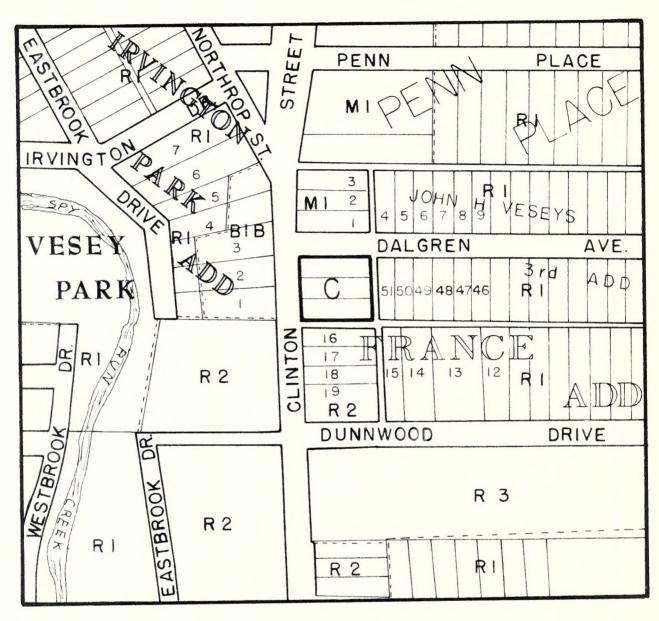
State of Indiana, Illinois,	Cook County, ss:	Dated this 18th Day of	June, 1969
Before me, the undersigned, a Notary and State, this 18th day of personally appeared:		By Ruhan (Richard P. Small	ma CS Seal
CHEKER OIL COMPA Small, its President, Stenitt, its Secretary	and by James L.	By Imis Stenitt)	its Secretary
STERRITT gs.			Seal
And acknowledged the execution of twhereof, I have hereunto subscribed			Seal
ficial seal. My commission expires Ma			Seal
(Eugene E	L. Hawkins) Notary Public		Seal

JOHN E. HOFFMAN

RECEIVED OF Hoffman, Mossest & folomon Twenty-five and you DOLLARS

De jone Holdin

Bx K.S. Disler



C CHANGED FROM R-2 TO B-I-B .

2-69-03-32

17 66

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 25, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-03-32; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 21, 1969;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 28, 1969.

Certified and signed this 2nd day of May 1969.

Mary Ann Haynie

Sacretary

PETITION TO REZONE

Common Council, City of Ft. Wayne	To JOURNAL-GAZETTE Dr.
(Governmental Unit) Allen County, Ind.	FORT WAYNE, INDIANA
PUBLI	SHER'S CLAIM
LINE COUNT	
Display Matter (Must not exceed two actual lir than four solid lines of the type in which — number of equivalent lines	nes, neither of which shall total more in the body of the advertisement is set)
Head number of lines	-
Body number of lines	_74
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Total number of lines in notice	
COMPUTION OF CHARGES	
Charge for extra proofs of publication (50 cents	for each proof in excess of two)
· · · · · · · · · · · · · · · · · · ·	tor each proof in excess of two,
TOTAL AMOUNT OF CLAIM	\$ 21.60
DATA FOR COMPUTING COST	
	Size of type $5\frac{1}{2}$ point
Width of single column 11 ems	Size of typepoint
Number of insertions. 2	Size of quad upon which type is cast5.\frac{1}{2}
Pursuant to the provision and penalties of Ch. 89, Acts 1967	
I hereby certify that the foregoing account is just and corre	ect, that the amount claimed is legally due, after allowing all just
credits, and that no part of the same has been paid.	19818 Aprilla De Hall
	882 884 885 BEE
Date August 11, , 1969	Title CLERK
tice is hereby given that on the 22nd of July, 1969, the Common Council le City of Fort Wayne, Indiana, in a lar Session, did pass the following ag Map ordinance, to-wit: No. 7-69-03-32	k e.s. IDAVIT
and duly adopted, placed on its passa of July, 1969, the Common Gouncil of City of Fort Wayne, Indiana, in a place of July, 1969, the Common Gouncil of City of Fort Wayne of Council of Session, did pass the following appropriate of No. 7-69-03-32. ING. 7-69-03-32. ING MAP ORDINANCE NO. 7-8-69 to ORDINANCE amending the City of Fort Wayne Zoning Map No. A-11. IT ORDAINED BY THE COMMON INCIL OF THE CITY OF FORT (NE, INDIANA: CITY OF FORT (NE, INDIANA: Session, did pass the following have to the City of Fort Wayne Zoning Map No. A-11. IT ORDAINED BY THE COMMON Indiana, 1946, as amended by North council of the City of Fort Wayne indiana, 1946, as amended by a cordinance, No. 2836; and the obols on the City of Fort Wayne indiana, on the City of Fort Wayne of North Clinton Street and Dalend Avenue on the West, Dalgren Avenue in the City of Fort Wayne, being tract bounded by North not on the West, Dalgren Avenue the North, the first alley East of orth Clinton on the East, and the first ey South of Dalgren Avenue on the City of Passed of the City of Fort Wayne, Indiana, on the City of Fort Wayne, Indiana, on the City of Fort Wayne indiana, on the City of Fort Wayne, Ind	re me, a notary public in and for said county and state, the RVILLA DEWALD who, being duly sworn, says clerk CLERK of the
ne, Indiana, 1946 as amended by City of Fort Wayne, Indiana, on the 2 real Ordinance, No. 2836; and the day of July, 1969 at the hour of 8 bots on the City of Fort Wayne o'clock A.M., E.D.T. bots on the City of Fort Wayne	-GAZETTE 8:30 -GAZETTE newspaper of general circulation printed and published
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ract 150 x 136.4 teet at southeds: ner of North Clinton Street and Dal- n Avenue in the City of Fort Certify that the above and forgoing I yne, being tract bounded by North Juli, true, and complete copy of Zoi	id, and that the printed matter attached hereto is a true copy is a n said paper for time, the dates of publication being
iton on the West, Dalgren Avenue Map Ordinance No. Z-/8-69 passea by the North, the first alley East of Common Council on the 22nd day of the Clinton on the East, and the first 1969, and that said Ordinance was by South of Dalgren Avenue on the signed, and approved by the Mayor	July 31, 1969
of Clinton on the East, and the first stand of the Mayor	August 7,1969
force and effect from and after its fice. sage, approval by the Mayor, and publication thereof. THOMAS G. ADAMS, Councilman the little of the City of Fort Wayne, India 28th day of July, 1969. FUAD G. BONAHOOM, City C	efore me this 11thday of August 1969
by Rousseau seconded by Robinson 7—31; 8—7	Earth Stapleton Notary Public
My commission	Merch 8 1070

Form Prescribed by State Board of Accounts

Form Pre	scribed b	y State Board of Accou	unts	PANEL BASE	1	General Politica.	DD T (7801. 7801.)
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Form Prescribed by State Board	of Accounts	Maria Contraction of the Contrac		General Form No. 9	9 P (Rev 1967)
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Allen	County, Ind.	2		FORT WAYNE, INDIA	ANA
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I hereby certify that the foregoing credits, and that no part of the sam	e has been paid.	d correct, that th	e amount claimed	is legally due, after a	llowing all just
			801.	im Has	tman
Deta August 11, 1969			art.	Clerk	
Notice is hereby given that on the 22n day of July, 1969, the Common Counce of the City of Fort Wayne, Indiana, in Revular Session, did pass the followin Zoning Map profitance, to-wit: Bill No. 7-69-03-32 ZONING MAP ORDINANCE NO. Z-78-AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-11. BE IT ORDAINED BY THE COMMO COUNCIL OF THE CITY OF FOR WAYNE, INDIANA: SECTION 1. That the area described follows is hereby designated a B-1-B trict under the terms of Chapter Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended General Ordinance, No. 2836; and the symbols on the City of Fort Wayne, Indiana, 1946, as amended General Ordinance, No. 2836; and the symbols on the City of Fort Wayne, Indiana, 1946, as amended General Ordinance, No. 2836; and the symbols on the City of Fort Way Zoning Map No. A-11 referred to the in, established by Section 9, Article of said Chapter as amended, are here changed accordinally, to-wit: Tract 150 x 136.4 feet at Southea corner of North Clinton Street and Dogren Avenue in the City of Fort Wayne, being tract bounded by Nor Clinton on the West, Dalgren Avenue on the North, the first alley East North Clinton on the East, and the fir alley South of Dalgren Avenue on the South, SECTION 2. This Ordinance shall be Section of additional actions of the control of t	d iii a	861 011	Title.		
Regular Session, dia possi ile informationali della considerationali della considerationa considerationa della considerationa della consi	9 State of)	JBLISHER'S AFFI Indiana County } ss:	DAVIT		
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THOMAS G. ADAMS, Counciln Read the third time in full and on it fion by Rousseau seconded by Robis	nan mo- ison				
South, Section 2. This Ordinance shall be full force and effect from and after passage, approval by the Mayor, it legal publication thereof. THOMAS G. ADAMS, Counciln Read the third time in full and on it it in the full the full that the full that and a full adopted, placed on its passe passed by the following vote: Ayes, seven—Adams, Dunifon, Ge a Nuckols, Robinson, Rousseau, Steigerw Nays, two—Fay and Tipton. Dae:7—22—69.	k e. vald	ed and sworn to b	efore me this 110	h day of Augus	leton
Nays, two—Fay and Tiplott. Dae:7—22—69. BONAHOOM, City C Fassed and adopted by the Comic Council of the City of Fort War Indiana, as Zoning Map Ordinance Z-78-69 on the 22nd day of July, 194. ATTEST: FUAD G. BONAHO	lerk mon yne. My comu	nission expires	March 8, 197	Notary Public	
Council of the City of Fort Wa' Indiana, as Zoning Map Ordinance Z-78-69 on the 22nd day of July, 194	No. 19. OM,				
HERBERT G. TIPTO	Sicor WE WE WE WANTED				
Presented by me to the Mayor of City of Fort Wayne, Indiana, on the day of July, 1969 at the hour of o'clock A.M., E.D.T. FUAD G. BONAHOOM, City Cares and and signed by me this	23rd 8:30		(A) #		7/2
FUAD G. BONAHOOM, City C Approved and signed by me this day of July, 1969, at the hour of process A.M., E.D.T.	24th 10:30				44